

REMARKS

Reconsideration of the claims is respectfully requested. Claims 1-27 and 29 remain in the application. Claims 1,19, and 29 are independent claims.

1) Rejection of Claims 1-7, 9, 11, 16, 18, 19, 25, 27 and 29 under 35 USC § 102(b)

The Examiner has rejected Claims 1-7, 9,11,16,18, 19, 25, 27 and 29 under 35 USC § 102(b) as being clearly anticipated by Wallberg et al. In particular, the Examiner states that Wallberg comprises a frame 1, a latch member (lower end of 9), a link (upper end of 9), and a pivot member 7. The Examiner states that the pivot member has three unnumbered pivots shown in Fig. 1 with one connected to the frame 1 and one connected to the link & cylinder. Also, the Examiner states that the centerline runs perpendicular to Fig. 1 as does reference number 50 in Applicant's Fig. 3. The Examiner states that the latch member and link of Wallberg are comprised only by reference number 9 and that Applicant's claims do not preclude this integral connection only that the latch member and link be connected.

Applicants have amended independent Claims 1 & 19 to specifically point out that the latch member and link are not integral components. Given that the Examiner states that the preclusion of the integral relationship between the latch member and the link must be provided in the claims and that Applicants have amended Claims 1 & 19 to so preclude the possibility for such an integral relationship, Wallberg does not anticipate Applicants' Claims 1 & 19. Furthermore, Applicants have amended Claim 29 wherein the latch member is operatively associated with the attachment frame for angular positioning approximately perpendicular with the horizontal plane defined by the centerline of the attachment frame with the latch member being movable between a disengaged position and an engaged position. The definition of "perpendicular" is forming a right angle. Applicants respectfully believe that Wallberg does not teach or suggest that the latch member is angular positioned in such a perpendicular manner. More accurately, the latch member in Wallberg is angular positioned substantially less than 90 degrees with the horizontal plane. Therefore, Applicants

respectfully submit that the rejection of independent Claims 1, 19 and 29 under 35 USC § 102(b) should be withdrawn in light of the arguments. Further, Applicants respectfully submit that Claims 1, 19 and 29 are allowable over the prior art of record.

Additionally, Claims 2-7, 9, 11, 16, 18, 25 and 27 are dependent on independent Claims 1 or 19, respectively, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claims 1 & 19 are also applicable to these dependent claims and the rejection of Claims 2-7, 9, 11, 16, 18, 25 and 27 should also be withdrawn. Further, it is respectfully submitted that Claims 2-7, 9, 11, 16, 18, 25 and 27 are in condition for allowance.

2) Rejection of Claims 10, 12-15, 17, 20-24 and 26 under 35 USC § 103(a)

The Examiner has rejected Claims 10, 12-15, 17, 20-24 and 26 under 35 USC § 103(a) as being obvious over Wallberg. The Examiner states that all the limitations of these claims are met by Wallberg. Again, Applicants utilize the arguments provided in 1) above for the allowance of Claims 1 & 19. Further, Claims 10, 12-15, 17, 20-24 and 26 are dependent on independent Claims 1 or 19, respectively, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claims 1 & 19 are also applicable to these dependent claims and the rejection of Claims 10, 12-15, 17, 20-24 and 26 should also be withdrawn. Further, it is respectfully submitted that Claims 10, 12-15, 17, 20-24 and 26 are in condition for allowance.

3) Rejection of Claims 10, 17 and 26 under 35 USC § 103(a)

The Examiner has rejected Claims 10, 17 and 26 under 35 USC § 103(a) as being obvious over Wallberg in view of Jones and Horton. The Examiner states that it would be obvious to divert fluid from the cylinders in Wallberg to the latch cylinders in view of the teaching of Jones and Horton. Again, Applicants utilize the arguments provided in 1) above for the allowance of Claims 1 & 19. Further, Claims 10, 17 and 26 are dependent on

independent Claims 1 or 19, respectively, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claims 1 & 19 are also applicable to these dependent claims and the rejection of Claims 10, 17 and 26 should also be withdrawn. Further, it is respectfully submitted that Claims 10, 17 and 26 are in condition for allowance.

4) Rejection of Claims 1-7, 9-19, 25-27 and 29 under 35 USC § 103(a)

The Examiner has rejected Claims 1-7, 9-19, 25-27 and 29 under 35 USC § 103(a) as being obvious over Albright in view of Wallberg. The Examiner states that it would be obvious to substitute the hydraulic actuator in Albright with separate cylinders pivoted to each of 54 and 56 as claimed by Applicants in view of the teaching of Wallberg. Again, Applicants utilize the arguments provided in 1) above for the Examiner's reference. As will be described in more detail herein, the mere substitution of separate cylinders in place of the one hydraulic actuator as claimed by Applicants would not be functional in Albright to achieve full operation of the latch member therein. In particular, with such substitution, Albright would have to connect the separate cylinders to the attachment frame as claimed by Applicants in Claims 1, 19, and 29. Further, the separate cylinders in Albright would have to be connected to the pivot member at a third contact position as claimed by Applicants. Upon closer review of Albright, the only possible location for the separate cylinders to be connected with the attachment frame would be beneath the handles 54 and 56 (due to the offsetting of nearby structure). In such a location, the separate cylinders would not be able to exert enough force on the handles 54,56 to achieve the total upright position that is needed for disengagement of the latch member in Albright (see Fig. 3). This is true because the total upright position of the handles 54,56 is substantially vertical and placement of the separate cylinders to achieve such positioning would not be available without further design of the coupling system or another link between the handles 54,56 and the cylinders to offset the connection therebetween. Therefore, Applicants respectfully submit that the rejection of independent Claims 1, 19 and 29 under 35 USC § 103(a) should be withdrawn in light of the arguments of the destruction of the functionality of Albright in regard to its combination with

Wallberg. Further, Applicants respectfully submit that Claims 1, 19 and 29 are allowable over the prior art of record.

Additionally, Claims 2-7, 9-18 and 25-27 are dependent on independent Claims 1 or 19, respectively, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claims 1 & 19 are also applicable to these dependent claims and the rejection of Claims 2-7, 9-18 and 25-27 should also be withdrawn. Further, it is respectfully submitted that Claims 2-7, 9-18 and 25-27 are in condition for allowance.

5) Rejection of Claims 10, 17 and 26 under 35 USC § 103(a)

The Examiner has rejected Claims 10, 17 and 26 under 35 USC § 103(a) as being obvious over Albright in view of Wallberg and further in view of Jones and Horton. The Examiner states that it would be obvious to divert fluid from the cylinders in Albright to the latch cylinders in view of the teaching of Jones or Horton. Again, Applicants utilize the arguments provided in 1) above for the allowance of Claims 1 & 19. Further, Claims 10, 17 and 26 are dependent on independent Claims 1 or 19, respectively, either directly or indirectly, and add additional limitations therein. Therefore, the arguments asserted for Claims 1 & 19 are also applicable to these dependent claims and the rejection of Claims 10, 17 and 26 should also be withdrawn. Further, it is respectfully submitted that Claims 10, 17 and 26 are in condition for allowance.

6) Rejection of Claim 8 under 35 USC § 103(a)

The Examiner has rejected Claim 8 under 35 USC § 103(a) as being obvious over Wallberg in view of Doering. The Examiner states that it would be obvious to use slots as shown in Wallberg to prevent binding in view of the teaching of Doering. Again, Applicants utilize the arguments provided in 1) above for the allowance of Claim 1. Further, Claim 8 is dependent on independent Claim 1, either directly or indirectly, and adds

additional limitations therein. Therefore, the arguments asserted for Claim 1 are also applicable to this dependent claim and the rejection of Claim 8 should also be withdrawn. Further, it is respectfully submitted that Claim 8 is in condition for allowance.

7) Conclusion

The prior art of record has been reviewed and is believed to be inapplicable and not pertinent to the invention as claimed by the Applicants.

It is respectfully urged that the subject application is in condition for allowance and allowance of the claims in the application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diana L. Charlton", written over a horizontal line.

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